

TO: KURTZMAN CARSON CONSULTANTS
FROM: G&S LIVINGSTON REALTY INC.
RE: PROOF OF CLAIM - CIRCUIT CITY STORES
DATE: JANUARY 23, 2009

Attached please find for filing a copy of the proof of claim of G&S Livingston Realty Inc. The claim in the amount of \$1,350,404 is based on the rejection by debtors of the lease for the store space on Mount Pleasant Avenue, Livingston, NJ. A copy of the lease and a schedule showing the calculation of damages is attached.

Enclosed is a self-addressed, stamped envelope. Kindly return same to claimant with an acknowledgment of receipt of the proof of claim.

Douglas N. Riley
For G&S Livingston Realty Inc.
211 E. 43rd Street
New York, NY 10017
212 286 3300

B 10 (Official Form 10) (12/07)

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA

PROOF OF CLAIM

Debtor against which claim is asserted: (Check only one box below:)			
<input checked="" type="checkbox"/> Circuit City Stores, Inc. (Case No. 08-35653)	CC Distribution Company of Virginia, Inc. (Case No. 08-35659)	<input type="checkbox"/> Abbott Advertising, Inc. (Case No. 08-35665)	
<input type="checkbox"/> Circuit City Stores West Coast, Inc. (Case No. 08-35654)	<input type="checkbox"/> Circuit City Stores PR, LLC (Case No. 08-35660)	<input type="checkbox"/> Mayland MN, LLC (Case No. 08-35666)	
<input type="checkbox"/> InterTAN, Inc. (Case No. 08-35655)	<input type="checkbox"/> Circuit City Properties, LLC (Case No. 08-35661)	<input type="checkbox"/> Parapsco Designs, Inc. (Case No. 08-35667)	
<input type="checkbox"/> Véghoux International, Inc. (Case No. 08-35656)	<input type="checkbox"/> Orbyx Electronics, LLC (Case No. 08-35662)	<input type="checkbox"/> Sky Venture Corporation (Case No. 08-35668)	
<input type="checkbox"/> Circuit City Purchasing Company, LLC (Case No. 08-35657)	<input type="checkbox"/> Kinzer Technology, LLC (Case No. 08-35663)	<input type="checkbox"/> NSStruct, LLC (Case No. 08-35669)	
<input type="checkbox"/> C Aviation, LLC (Case No. 08-35658)	<input type="checkbox"/> Courchevel, LLC (Case No. 08-35664)	<input type="checkbox"/> PRAHS, INC. (Case No. 08-35670)	
TE: This form should not be used to make a claim for administrative expenses arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503(a).			
Name of Creditor (the person or other entity to whom the debtor owes money or property): G&S LIVINGSTON REALTY INC		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.	
Name and address where notices should be sent: G&S LIVINGSTON REALTY INC PO-BOX 712421 CINCINNATI OH 45271-2421		NameID: 4496141	PackID: 177625
<i>211 E. 43rd St. NY, NY 10017</i>		Telephone number: <i>212-286-3300</i>	Court Claim Number: _____ <i>(If known)</i>
Name and address where payment should be sent (if different from above): G&S Livingston Realty, Inc. c/o Key Bank PO Box 712421 Cincinnati, OH 45271-2421		Telephone number: <i>212-286-3308</i>	<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ <u>1,350,404.28</u>		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.	
If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.			
If all or part of your claim is entitled to priority, complete item 5.			
Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.			
2. Basis for Claim: <u>Receivables & Lease</u> (See instruction #2 on reverse side.)		5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.	
3. Last four digits of any number by which creditor identifies debtor:		Specify the priority of the claim.	
3a. Debtor may have scheduled account as: (See instruction #3a on reverse side.)		Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	
Secured Claim (See instruction #4 on reverse side.)		Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtors business, whichever is earlier — 11 U.S.C. § 507(a)(4).	
Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.		Contributions to an employee benefit plan — 11 U.S.C. § 507(a)(5).	
Nature of property or right of setoff: Real Estate Motor Vehicle Other Describe:		Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use — 11 U.S.C. § 507(a)(7).	
Value of Property: \$ _____ Annual Interest Rate ____ %		Taxes or penalties owed to governmental units — 11 U.S.C. § 507(a)(8).	
Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____		Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____).	
Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		Amount entitled to priority: \$ _____	
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.			
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.)			
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.			
If the documents are not available, please explain:			
Signature: the person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.		FOR COURT USE ONLY	
<i>[Signature]</i>			

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.



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Circuit City Stores Inc
Livingston NY Location
Rent, CAM, Tax Calculation for Remaining Lease Term

RENT CALCULATION

From	To	Mthly Rent Rate	Lease Year Balance	Cumulative Total	15%
1/1/2009	1/31/2009	56,745.50	56,745.50	56,745.50	
2/1/2009	1/31/2010	56,745.50	680,946.00	737,691.50	
2/1/2010	1/31/2011	56,745.50	680,946.00	1,418,637.50	
2/1/2011	1/31/2012	56,745.50	680,946.00	2,099,583.50	
2/1/2012	1/31/2013	56,745.50	680,946.00	2,780,529.50	
2/1/2013	1/31/2014	59,582.78	714,993.36	3,495,522.86	
2/1/2014	1/31/2015	59,582.78	714,993.36	4,210,516.22	
2/1/2015	1/31/2016	59,582.78	714,993.36	4,925,509.58	
2/1/2016	1/31/2017	59,582.78	714,993.36	5,640,502.94	
2/1/2017	1/31/2018	59,582.78	714,993.36	6,355,496.30	
Total Rent Remaining on Lease				6,355,496.30	953,324.45

CAM CALCULATION

From	To	Mthly CAM Rate	Lease Year Balance	Cumulative Total	15%
1/1/2009	1/31/2009	5,415.80	5,415.80	5,415.80	
2/1/2009	1/31/2010	5,578.27	66,939.29	72,355.09	
2/1/2010	1/31/2011	5,745.62	68,947.47	141,302.55	
2/1/2011	1/31/2012	5,917.99	71,015.89	212,318.45	
2/1/2012	1/31/2013	6,095.53	73,146.37	285,464.81	
2/1/2013	1/31/2014	6,278.40	75,340.76	360,805.57	
2/1/2014	1/31/2015	6,466.75	77,600.98	438,406.55	
2/1/2015	1/31/2016	6,660.75	79,929.01	518,335.56	
2/1/2016	1/31/2017	6,860.57	82,326.88	600,662.44	
2/1/2017	1/31/2018	7,066.39	84,796.69	685,459.13	
Total CAM Remaining on Lease -Annual Increase of 3%				685,459.13	102,818.87

TAX CALCULATION

From	To	Mthly TAX Rate	Lease Year Balance	Cumulative Total	15%
1/1/2009	1/31/2009	15,499.67	15,499.67	15,499.67	
2/1/2009	1/31/2010	15,964.66	191,575.92	207,075.59	
2/1/2010	1/31/2011	16,443.60	197,323.20	404,398.79	
2/1/2011	1/31/2012	16,936.91	203,242.89	607,641.68	
2/1/2012	1/31/2013	17,445.02	209,340.18	816,981.87	
2/1/2013	1/31/2014	17,968.37	215,620.39	1,032,602.25	
2/1/2014	1/31/2015	18,507.42	222,089.00	1,254,691.25	
2/1/2015	1/31/2016	19,062.64	228,751.67	1,483,442.92	
2/1/2016	1/31/2017	19,634.52	235,614.22	1,719,057.14	
2/1/2017	1/31/2018	20,223.55	242,682.65	1,961,739.78	
Total TAX Remaining on Lease -Annual Increase of 3%				1,961,739.78	294,260.97

Total Billing Calculated Over the Remaining Lease Term **9,002,695.22** **1,350,404.28**